

STATE OF SOUTH CAROLINA

(Caption of Case)

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2008-194-C

(Please type or print)

Submitted by: Ed Phillips

SC Bar Number: \_\_\_\_\_

Address: 14111 Capital Boulevard  
Wake Forest, NC 27587

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Other: \_\_\_\_\_

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☒ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: \_\_\_\_\_

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____	
<input type="checkbox"/> Administrative Matter	<input checked="" type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

Voice | Data | Internet | Wireless | Entertainment



May 9, 2008

Embarq Corporation  
Mailstop: NCWKFR0313  
14111 Capital Boulevard  
Wake Forest, NC 27587-5900  
EMBARQ.com

Ms. Daphne Duke  
Information Resource Consultant  
Public Service Commission of South Carolina  
Post Office Drawer 11649  
Columbia, South Carolina 29211

RE: MASTER INTERCONNECTION, COLLOCATION AND RESALE AGREEMENT  
BETWEEN UNITED TELEPHONE COMPANY OF THE CAROLINAS D/B/A  
EMBARQ AND ACCESS POINT, INC.

Dear Ms. Duke:

United Telephone Company of the Carolinas ("Embarq") and Access Point, Inc. hereby submit their Master Interconnection, Collocation and Resale Agreement for the State of South Carolina with an effective date of March 31, 2008, for approval by the Public Service Commission of South Carolina. Please note that this agreement consists of a 2-page document which identifies the parties and adopts the terms and conditions of another agreement which was approved by the Commission in Docket No. 2007-442-C.

Embarq and Access Point respectfully request that the Commission approve this agreement. Under cover of this letter, a copy of the agreement is being served upon Access Point.

Embarq is represented in this matter by Mr. Scott Elliott, Elliott & Elliott, P.A., 721 Olive Street, Columbia, South Carolina 29205 (803-771-0555). Please contact either Mr. Elliott or me if there are any questions.

Sincerely yours,

  
Edward Phillips

HEP:cwm

Enclosures

Edward Phillips  
ATTORNEY  
Voice: (919) 554-7870  
Fax: (919) 554-7913  
edward.phillips@EMBARQ.com

## **MASTER INTERCONNECTION, COLLOCATION AND RESALE AGREEMENT**

This Master Interconnection, Collocation and Resale Agreement ("Agreement"), dated March 31, 2008 is entered into by and between Access Point, Inc. ("CLEC"), and United Telephone Company of the Carolinas LLC (referred to herein as "Embarq"), which are collectively referred to herein as "the Parties", to establish the rates, terms and conditions for local interconnection, local resale and the purchase of unbundled network elements for the state of South Carolina.

**NOW THEREFORE**, the Parties agree as follows:

### **1. MASTER INTERCONNECTION, COLLOCATION AND RESALE AGREEMENT**

The Parties agree that the Agreement between the Parties shall consist of the BullsEye Telecom, Inc. Master Interconnection, Collocation and Resale Agreement dated November 1, 2007 (the "Adopted Agreement").

All services provided under this Agreement will be consistent with the decisions of courts having jurisdiction over this Agreement, including but not limited to the decisions of the Court of Appeals and the United States Supreme Court.

### **2. PARTIES:**

CLEC is hereby substituted in the Adopted Agreement for BullsEye Telecom, Inc., whereas Embarq shall remain as the other Party to the Adopted Agreement. Except as modified herein, the Agreement shall in all other respects reflect the same terms as the Adopted Agreement.

### **3. TERM:**

This Agreement shall have a termination date of October 31, 2009 which corresponds with the termination date of the Adopted Agreement.

### **4. NOTICES:**

Except as otherwise provided, all notices and other communication shall be deemed to have been duly given when made in writing and delivered in person or deposited in the United States mail, by certified mailing, postage paid, and return receipt requested and addressed as follows:

To CLEC : Richard Brown- CEO  
Access Point, Inc.  
1100 Crescent Green, Suite 109  
Cary, NC 27518

To Embarq: Director, Local Wholesale Markets- Interconnection Mgmt.  
Embarq  
9300 Metcalf  
Overland Park, KS 66212

**IN WITNESS WHEREOF**, the Parties hereto have caused this Agreement to be executed by their duly respective authorized representatives.

ACCESS POINT, INC.

EMBARQ

By: Richard E. Brown

By: W E Cheek

Name: Richard Brown

Name: William E. Cheek

Title: CEO

Title: President – Wholesale Markets

Date: 3/20/08

Date: 3/20/08

Copy: Richard Brown  
Chief Executive Officer  
Access Point, Inc.  
1100 Crescent Green, Suite 109  
Cary, North Carolina 27518

Mr. Scott Elliott  
Attorney at Law  
Elliott & Elliott, P.A.  
721 Olive Street  
Columbia, South Carolina 29205

Ms. Cheryl Sweitzer  
Manager Regulatory Affairs  
Embarq Corporation  
14111 Capital Boulevard  
Wake Forest, North Carolina 27587-5900